



08-09-01 518 Rec'd CT/PTO C 8 AUG 2001 PCT #3

Attorney Docket: 70140

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : BIPPUS et al.
Serial No : 09/856,788
Confirm. No. :
Filed : May 23, 2001
For : SHIELDING DEVICE...
Art Unit :
Examiner :
Dated : August 8, 2001

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231
ATTENTION: BOX PCT

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 USC 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE

Sir:

In response to the Notification of Missing Requirements Under 35 USC 371 in the
United States Designated/Elected Office (DO/EO/US), mailed on July 31, 2001 please
find enclosed the executed inventor(s) Declaration with the appropriate surcharge.

We trust that this matter is in order, but if there is any further action required
please advise us immediately.

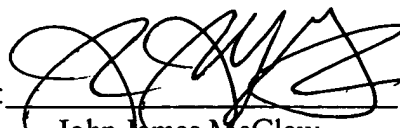
08/13/2001 MKAYPAGH 00000032 09856788

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130.00 DP

Respectfully submitted
for Applicant(s)

By:


John James McGlew
Registration No. 31,903

JJM:lmk
70140.8

Enc.: Executed Declaration

Copy of Notification of Missing Requirements
Check in the amount of \$130.00

DATED: August 8, 2001
SCARBOROUGH STATION
SCARBOROUGH, NEW YORK 10510-0827
(914) 941-5600

SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK
OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT
ACCOUNT 13-0410.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL IN AN
ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND
TRADEMARKS, WASHINGTON, D.C. 20231, NO. EL455157088US

McGLEW AND TUTTLE, P.C., SCARBOROUGH STATION, SCARBOROUGH, NY
10510

BY:  DATE: August 8, 2001



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
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U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/856788	BIPPUS	70140
INTERNATIONAL APPLICATION NO.		
PCT/EP99/07756		
I.A. FILING DATE	PRIORITY DATE	
14 OCT 99	23 NOV 98	

JOHN JAMES MCGLEW
MCGLEW AND TUTTLE
SCARBOROUGH STATION
SCARBOROUGH, NY 10510 0827AUS
RECEIVED
MCGLEW & TUTTLE, P.C.

DATE MAILED 31 JUL 2001

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- | | |
|--|--|
| <input checked="" type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Indication of Small Entity Status. |
| <input checked="" type="checkbox"/> Copy of the international application. | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input type="checkbox"/> Oath or Declaration of inventors(s). | <input type="checkbox"/> Translation of Article 19 amendments into English. |
| <input type="checkbox"/> Copy of Article 19 amendments. | <input checked="" type="checkbox"/> Other: b 331, isa/210-references, info. disclosure statement, substitute specification |
| <input checked="" type="checkbox"/> Priority Document. | |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. | |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English. | |
2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- | | |
|---|---|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---|---|
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- | | |
|--|--|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date. | <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation. |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)). | |
| <input checked="" type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. | <input type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917. |
| <input checked="" type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)). | |
4. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☐ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: ☐ PCT/DO/EO/917
☐ PTO-875

☐ Notice of Defective Translation
☐ PCT/DO/EO/920

Christine S. Washington

Telephone: 703-305-3752

FORM PCT/DO/EO/905 (March 2001)

STATUTORY FEE
70140 COMP/declarationDUE DATE: Sept 3, 2001
REVIEW DATE: Sept 3, 2001
ENTERED BY: [signature]

08 AUG 2001



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